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# FirstNet Webinar: RFI & Public Notice Review for SPOCs and PSAC Members



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# Overview of RFI and SOO



FirstNet released a Request for Information (RFI) with a draft Statement of Objectives (SOO)

- Date of Release: September 17, 2014
- Location: FedBizOpps at [www.fbo.gov](http://www.fbo.gov)
- Who Can Comment: Any individual or organization
- Comments Deadline: October 17, 2014

*Note: Responses are procurement-sensitive and will be kept confidential*

# What is the purpose of the RFI?

- Provide interested parties with greater visibility into FirstNet's proposed direction for network deployment
- Helps FirstNet gather information to:
  - Better understand industry's capabilities
  - Shape the comprehensive network solution acquisition strategy
  - Establish the direction for industry day
  - Inform the Statement of Objectives (SOO) and Requests for Proposals (RFP)
  - Surface questions and answers that FirstNet has not asked or considered

# What is the purpose of the SOO?



## ■ The Statement of Objectives (SOO)

- Outlines a performance-based acquisition approach
- Presents a set of objectives in order to encourage innovative solutions to meet public safety needs
- Counts on marketplace collaboration to ensure best outcomes for states, territories and tribal lands

## ■ FirstNet **Does Not**:

- Dictate a specific technical or network solution – other than a few essential parameters
- Specify required partnerships, alliances, or joint ventures within the vendor community



# Overview of Key Objectives



- Minimize public safety user fees
- Deliver advanced, resilient wireless services
- Minimize the amount of capital and operating expenses incurred by FirstNet
- Leverage synergies with existing networks and other infrastructure where economically desirable to FirstNet
- Maximize the value of the excess network capacity to keep costs low for public safety

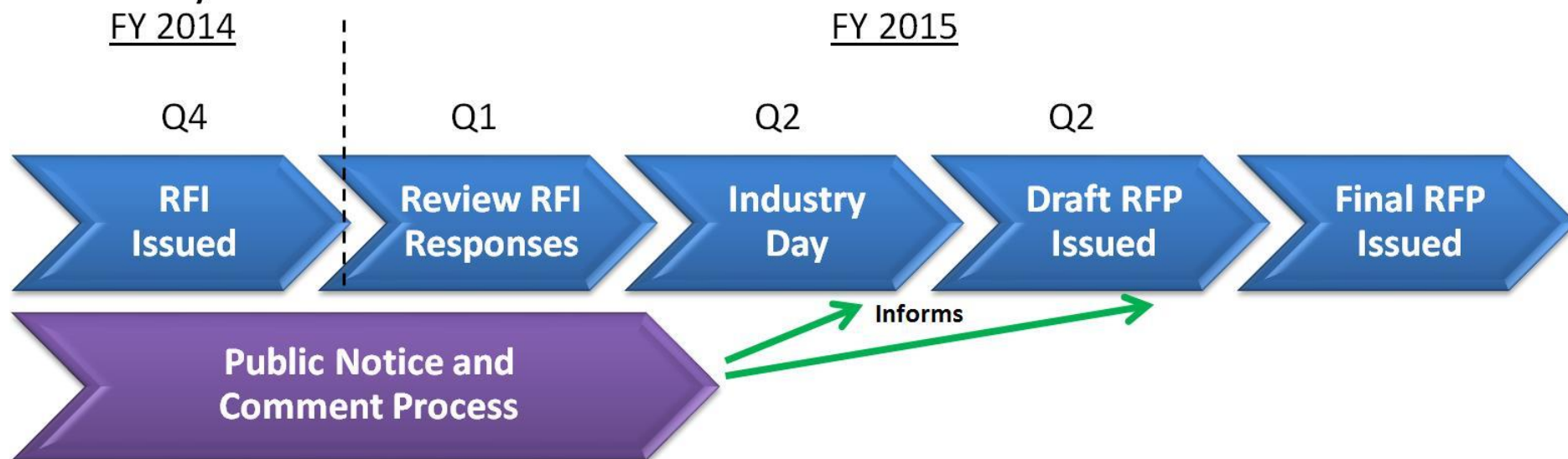
# Overview of Key Information in RFI



- The RFI asks respondents questions concerning:
  - Building, deploying, operating, and maintaining the nationwide public safety broadband network
  - End user pricing and financial sustainability
  - Speed to market
  - System hardening, reliability, and restoration
  - Priority and preemption
  - Opt-out Radio Access Network integration
  - Use of existing infrastructure assets owned and operated by governmental jurisdictions
  - Lifecycle innovation
  - Customer care and marketing

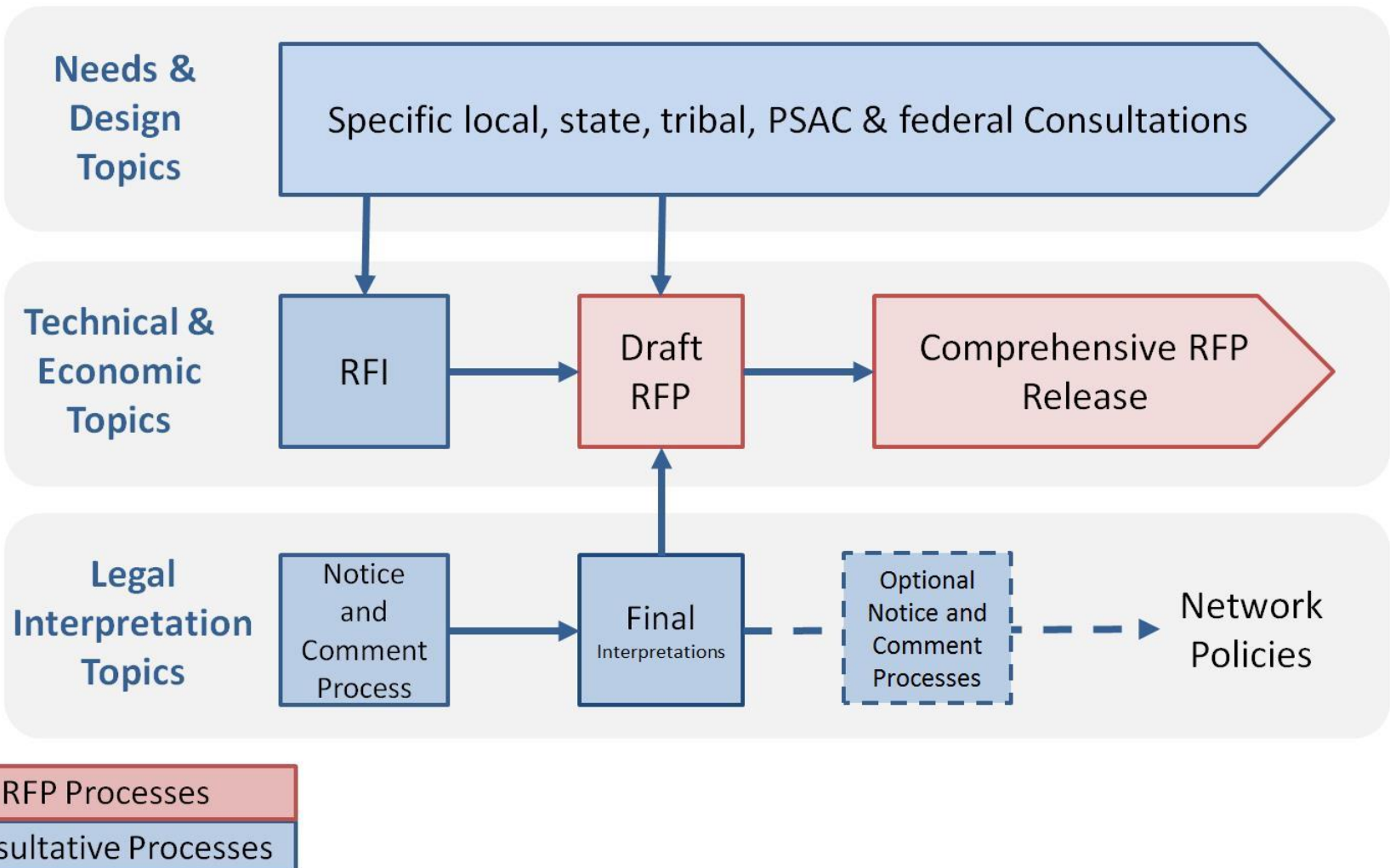
# The RFI in the Acquisition Lifecycle

- The RFI is a key element of market research in the acquisition lifecycle



- The RFI signals to public safety entities, states, and industry our interest to obtain critical information in preparation for a solicitation

# How the Pieces Fit Together





# State Opt-In/Opt-Out Decision



- The acquisition timeline and process feed into the opt-in/opt-out decision that each governor must make
- The Comprehensive RFP and state consultation inform the state plans developed between the state and FirstNet
- The governor will review the final state plan, which will incorporate information and comments FirstNet receives through the RFI, public notice, and the draft RFP processes
- The state plan will also include information on user fees and coverage
- Opt-in/opt-out is the key decision that all states have to make in this process

# Public Notice and Comment



# Overview of Public Notice Process



FirstNet published a public notice outlining some of its legal interpretations of the Act

- Date of Release: September 24, 2014
- Location: Federal Register at [www.regulations.gov](http://www.regulations.gov)
- Who Can Comment: Any individual or organization
- Comments Deadline: October 24, 2014



# Why Do Notice and Comment?

- Notice is an opportunity to receive input on unclear provisions of the law
- Comments will provide critical inputs into the draft RFP and will shape the economic and technical aspects of the procurement
- Allows a broad audience, including public safety entities, to provide feedback in the *Federal Register* notice process



# This is Just a First Step

- The Notice proposes FirstNet's overall legal authority (outer boundary), but it does not mean that FirstNet will use all of its authority
- Notice contains preliminary interpretations
- FirstNet needs to maintain flexibility at this stage of program and refine our approach as we progress
- FirstNet will develop more detailed policies that will refine how we will operate within outer boundary



***As an example:** The Act may give FirstNet authority to serve a broad group of customers, but FirstNet may develop a policy to narrow the types of customers served to preserve network capacity for public safety*



# Initial Topics Overview

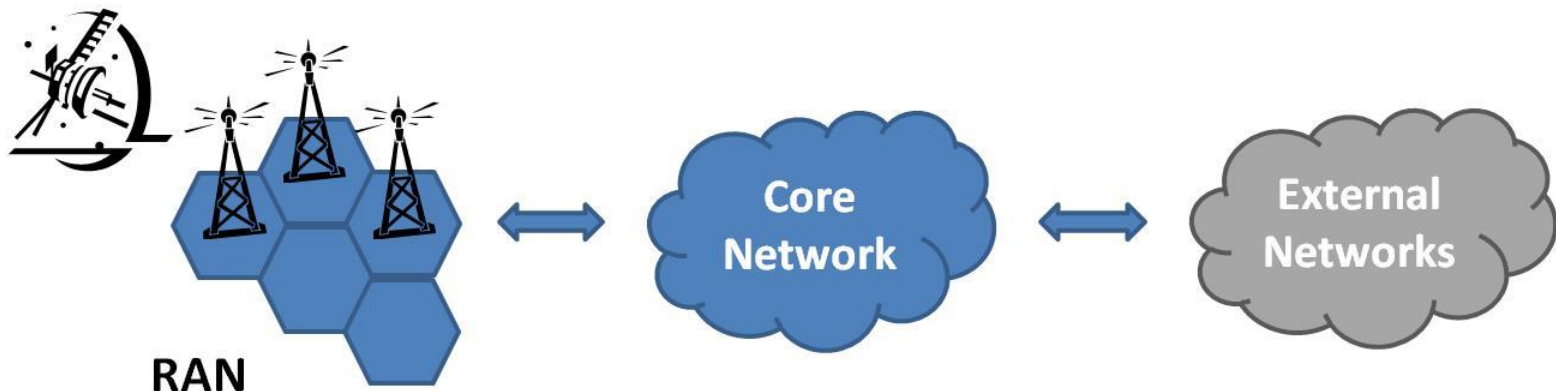


- This Notice covers the following topics:
  - Network elements, including “Core” and “RAN”
  - Network users, including “public safety entities,” “secondary users” and other network users
  - Permitted services
  - RFP standards for “open, transparent, competitive” process
  - Definition of “rural” and substantial rural coverage milestones
  - Existing infrastructure sharing
  - Fees, including covered leasing fees
- The major issues related to state opt-in/opt-out process are not included in this Notice, but the issues may be addressed in a future notice and comment process
- Only a few of these topics will be discussed in this detail in this presentation, and we recommend that you review the full public notice or board presentation for additional information

# FirstNet Network Architecture



- FirstNet's mission is to “ensure the establishment of a nationwide interoperable public safety network . . . based on a single, nationwide architecture . . .”
- The Act defines the architecture as initially consisting of:
  - Core Network
  - Radio Access Network (RAN)



- The Act: National and regional data centers; provides connectivity between radio access network and the public Internet and/or public switched network
- The Notice: Elements of the core, consistent with the Interoperability Board Report, include:
  - The standard Evolved Packet Core elements under the 3rd Generation Partnership Project (“3GPP”) standards, device services, location services, billing functions, and
  - All other network elements and functions other than the RAN

# Radio Access Network (RAN)



- The Act: Consists of all cell site equipment, antennas, and backhaul required to enable wireless communications with devices using public safety broadband spectrum
- The Notice: Standard E-UTRAN elements, consistent with the Interoperability Board Report

- The Act:
  - States may apply to conduct their own deployment of a radio access network
  - Opt-out States pay any user fees associated with use of the Core network
  
- The Notice:
  - Opt-out State RANs must use FirstNet Core



- The Act:
  - No comprehensive list of users
  - Public safety users are primary
  - Fees charged to “each entity, *including* any public safety entity or secondary user, that seeks access to or use of” the network
  - Lessees for covered leasing agreements and infrastructure use
  
- The Notice: There are 3 baskets of users
  - **Public Safety Entities:** an entity that provides public safety services as defined in the Act (primary users)
  - **Secondary Users:** users with access to or use of the network on a secondary basis who do not provide public safety services
  - **Other Users:** potential third group of users that may be able to utilize the network (including opt-out States)

## ■ The Act:

- “Public safety entity” is an entity that provides “public safety services”
- “Public safety services” are defined by
  - Section 337(f) of the Communications Act of 1934 (Communications Act) and
  - Section 2 of the Homeland Security Act of 2002

## ■ The Notice:

- “Public safety services” are either (1) services as outlined in the Communications Act or (2) services as outlined in the Homeland Security Act

- The Communications Act defines “**public safety services**” to mean services:
  - (A) the sole or principal purpose of which is to protect the safety of life, health or property;*
  - (B) that are provided by (i) State or local government entities, or (ii) by non-governmental organizations that are authorized by a governmental entity whose primary mission is the provision of such services; and*
  - (C) that are not made commercially available to the public by the provider*
- The Notice: Some examples of public safety services include
  - Traditional public safety entities (e.g., Police, Fire, EMS, Sheriff)
  - Entities supporting airport operations that ensure safety of passengers, crew, and airport personnel and property in a complex air transportation environment
  - Transportation department activities that affect the safety of motorists
  - Entities protecting the safety of animals, homes, and city infrastructure

- The Homeland Security Act (HSA) defines public safety services as services provided by “**emergency response providers**”:
  - *Federal, State, and local governmental and nongovernmental emergency public safety, fire, law enforcement, emergency response, emergency medical (including hospital emergency facilities), and related personnel, agencies, and authorities*
- The Notice: HSA definition expands the potential list of public safety services beyond those under the Communications Act,
  - Does not include a “principal purpose” limitation (e.g., utilities)
  - Specifically identifies “personnel” in addition to agencies and authorities as emergency response providers (e.g., volunteer firefighter)
  - Identifies personnel, agencies, and authorities “related” to the listed personnel, agencies, and authorities (e.g., those in supporting roles)



## ■ The Act:

- Secondary users not specifically defined
- Identified as an entity that enters into a public-private arrangement (known as a covered leasing agreement) with FirstNet to construct, manage, and operate the network

## ■ The Notice:

- A user that accesses network capacity on a secondary basis for its own, or the provision of, non-public safety services *only*
- Seeks comment on whether we should constrain the definition to those entering into a covered leasing agreement
- This definition of “secondary users” has a different meaning than the traditional industry usage of the term as it relates to users subject to prioritization and preemption



- The Act: Charge fees to an “entity, including any public safety entity or secondary user, that seeks access to or use of” the network
  
- The Notice:
  - Users potentially not limited to public safety entities and secondary users
  - Other potential users:
    - Opt-out States
    - Network capacity lessees
    - Equipment or infrastructure lessees
    - Others (although limited by consumer prohibition)

## ■ The Act:

- No definition of “rural”
- Requires network deployment phases with “substantial rural coverage milestones” and to utilize cost-effective opportunities to speed deployment in rural areas

## ■ The Notice:

- Preliminary adoption of Rural Electrification Act definition of “rural area” – comment on adjacency requirement
- Seeks comment on possible lower boundary of frontier or wilderness area
- Seeks comment on how to define substantial rural milestones



# Proposed Definition of Rural Area



- The proposed definition of “**Rural Area**” is a city, town, or incorporated area that has a population of less than 20,000 inhabitants and is not adjacent and contiguous to an urbanized area that has a population of greater than 50,000 inhabitants.

## ■ The Act:

- Requires FirstNet to be self-funding
- Network user or subscription fee from each entity that “seeks access to or use of” the network
- Lease fees related to network capacity
- Lease fees related to equipment and infrastructure
- Opt-out state core usage fee



## ■ The Notice:

- Seeks comment on the difference between the terms “access to” and “use of” the network (e.g., database access)
- Seeks comment on any other permitted fees

- Request for Information (RFI) with a draft Statement of Objectives (SOO)
  - Document can be found on the FirstNet website and is posted officially on FedBizOpps at [www.fbo.gov](http://www.fbo.gov)
  - Deadline to submit comments is Friday, October 17, 2014
- Public Notice and Comment
  - Document can be found on the FirstNet website and is posted officially on the *Federal Register* at [www.regulations.gov](http://www.regulations.gov)
  - Deadline to submit comments is Friday, October 24th
- FAQs on each document are available on the FirstNet.gov Resources Page



# Thank You



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